

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

SHAWN MURPHY,

Plaintiff,

v.

**MC CLOUDS LAWN AND
LANDSCAPING SERVICES, LLC,**

Defendant.

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**No. 3:11-cv-01191
Judge Sharp**

ORDER

On March 21, 2013, the Magistrate Judge entered a Report and Recommendation (Docket No. 23) recommending that Defendant McClouds Lawn and Landscape Services’* oral motion to dismiss be granted and this action be dismissed with prejudice due to Plaintiff Shawn Murphy’s failure to comply with the Court’s orders, to provide the Court or opposing counsel with his current address, or to otherwise prosecute this case since August 2012, the month his then-counsel first moved to withdraw because Plaintiff had relocated to another state and ceased communication. No objections to the Report and Recommendation were filed. Indeed, because Plaintiff did not provide the Clerk with an updated address, it is likely he never received a copy of the Report and Recommendation.


The Court has reviewed the matter in accordance with 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b), and Rule 72.03, Local Rules of Court and finds no error in the Magistrate Judge’s recommendation that Defendant’s oral motion to dismiss be granted.

* The Court uses Defendant’s official name, which differs slightly from the version that appears in the caption.

Therefore, the Report and Recommendation (Docket No. 23) is hereby ACCEPTED, and Defendant's oral motion to dismiss is hereby GRANTED. This action is DISMISSED WITH PREJUDICE.

The Clerk is directed to enter Judgment in a separate document in accordance with Fed. R. Civ. P. 58(b).

It is SO ORDERED.



KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE